

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MIETKIEWSKA, Elzbieta; TAYLOR, David, C.; KATAVIC, Vesna
Serial No.: 10/596,024
Filed: May 15, 2007
Title: FATTY ACID ELONGASE (FAE) GENES AND THEIR UTILITY IN
INCREASING ERUCIC ACID AND OTHER VERY LONG-CHAIN
FATTY ACID PROPORTIONS IN SEED OIL
Group: 1638
Examiner: Vinod Kumar
Attorney Ref.: PAT 989W-2 US

December 20, 2010

Mail Stop: AF
Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia
22314-1450
U.S.A.

Dear Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

This letter is in response to the Notice of Non-Compliant Amendment (37 CFR 1.121). Applicant respectfully requests reconsideration and withdrawal of the Notice as the letter filed on November 5, 2010 was a submission of proposed claims in preparation for a telephone interview with Examiner Kumar on the same date.

Following that telephone interview, applicant filed a Request for Continued Examination and a Response on November 25, 2010 which, it is respectfully submitted, is compliant. We note that this Request for Continued Examination and Response have been made part of the USPTO Public PAIR record for this case.

Appln. No. 10/596,024

Submission dated December 20, 2010

Response to Notice of Non-Compliant Amendment dated Nov. 29, 2010

The Commissioner is hereby authorized to charge any additional fees, and credit any over payments, to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,

First Inventor's Name, et al

By: /David L. Conn/

David L. Conn

Reg. No. 50,180

Borden Ladner Gervais LLP

World Exchange Plaza

100 Queen Street, Suite 1100

Ottawa, ON K1P 1J9

CANADA

Tel: (613) 237-5160

Fax: (613) 787-3558

E-mail: ipinfo@blgcanada.com

DLC/ked

Encls.